

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37107 of 2023**

Arising Out of PS. Case No.-74 Year-2023 Thana- BARAUNI District- Begusarai

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VINOD KUMAR @ NITISH KUMAR S/O BHARAT YADAV R/O Villalge. Kasha, PS.
Barauni, Dist. Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma, Advocate
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Barauni P.S. Case No. 74 of 2023 dated 19.02.2023 registered for the offences punishable u/ss 341, 323, 504, 506, 324, 307 read with Section 34 of the Indian Penal Code.

As per the prosecution case, the co-accused Rakesh Yadav was in a drunken condition and started abusing the informant and his family members. On being protested, the petitioner and the co-accused persons started assaulting with lathi, danda and khanti on the head of the informant's mother and one



Subhash Kumar. They sustained head injuries. Thereafter, they brought to hospital for treatment.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a case and counter case between the parties. He has further submitted that the injury report form the private hospital shows the injury of Mina Devi as grievous but the doctor of the PHC, Barauni who gave the final report with regard to injury of Mina Devi opined injury as simple. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.02.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Barauni P.S. Case No. 74 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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